

***Superseded 5/12/2015***

**11-42-406 Assessment for economic promotion activities -- Reporting.**

- (1)
- (a) If the governing body of a local entity designates an assessment area in accordance with Part 2, Designating an Assessment Area, for economic promotion activities, the governing body:
    - (i) may levy an assessment to pay for economic promotion activities by adopting an assessment resolution or ordinance in accordance with Section 11-42-404; and
    - (ii) subject to Subsection (1)(b), may levy an additional assessment for economic promotion activities for the designated assessment area described in Subsection (1)(a):
      - (A) by adopting an assessment resolution or an ordinance in accordance with Section 11-42-404; and
      - (B) for a period of five years, beginning on the day on which the local entity adopts the initial assessment resolution or ordinance described in Subsection (1)(a)(i).
  - (b) A governing body may not levy an additional assessment to pay for economic promotion activities after the five-year period described in Subsection (1)(a)(ii)(B) unless the governing body:
    - (i) designates a new assessment area in accordance with Part 2, Designating an Assessment Area; and
    - (ii) adopts a new assessment resolution or ordinance in accordance with Section 11-42-404.
- (2) If a local entity designates an assessment area for economic promotion activities, the local entity:
- (a) shall spend on economic promotion activities at least 70% of the money generated from an assessment levied in the assessment area and from improvement revenues;
  - (b) may not spend more than 30% of the money generated from the assessment levied in the assessment area and from improvement revenues on administrative costs, including salaries, benefits, rent, travel, and costs incidental to publications; and
  - (c) in accordance with Subsection (3), shall publish a detailed report including the following:
    - (i) an account of money deposited into the assessment fund described in Section 11-42-412;
    - (ii) an account of expenditures from the fund described in Section 11-42-412; and
    - (iii) a detailed account of whether each expenditure described in Subsection (2)(c)(ii) was made for economic promotion activities described in Subsection (2)(a) or for administrative costs described in Subsection (2)(b).
- (3) A local entity shall publish a report required in Subsection (2)(c):
- (a) on:
    - (i) if available, the local entity's public web site; and
    - (ii) if the local entity is not a county or municipality, on the public web site of any county or municipality in which the local entity has jurisdiction;
  - (b)
    - (i) within one year after the day on which the local entity adopts a new assessment resolution or ordinance for economic promotion activities; and
    - (ii) each subsequent year that the economic promotion activities levy is assessed by updating the information described in Subsection (2)(c); and
  - (c) for six months on a web site described in Subsection (3)(a) after the day on which the report is initially published under Subsection (3)(b) or updated under Subsection (3)(b)(ii).